

**CITY BOARD OF ZONING APPEAL #2381**

**DATE:** January 13, 2005

**DATE SCHEDULED FOR PUBLIC HEARING:** January 28, 2005

**LOCATION:** Generally located at 31<sup>st</sup> and Cornhusker Highway.

**ADDRESS:** 3130 Cornhusker Highway.

**LEGAL DESCRIPTION:** See attached.

**APPLICANT:** Ray Mayhew  
PO Box 729  
Grand Island, NE 68802  
(308)382-7230

**LOT AREA:** One acre, more or less.

**ZONING:** I-1, Industrial.

**EXISTING LAND USE:** Industrial use.

**SURROUNDING LAND USE AND ZONING:**

North:	Industrial uses	I-1
South:	Commercial	H-3, Highway Commercial
East:	Industrial and commercial	I-1, H-3
West:	Industrial and commercial	I-1, H-3

**TYPE OF APPEAL:**

THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO A VARIANCE.

Section 27.69.075(a), L.M.C. requires 150 feet of frontage to combine two pole signs into one for a single 150 square foot sign at 45 feet in height. A variance to reduce the minimum frontage requirement from 150 feet to 143 feet is requested.

**STAFF FINDINGS:**

1. This is a request to reduce the minimum frontage requirement in order to combine two signs into a single larger and taller sign.
2. The applicant indicated that the property has 143 feet of frontage. The applicant indicated the additional area and height is necessary due to the speed at which

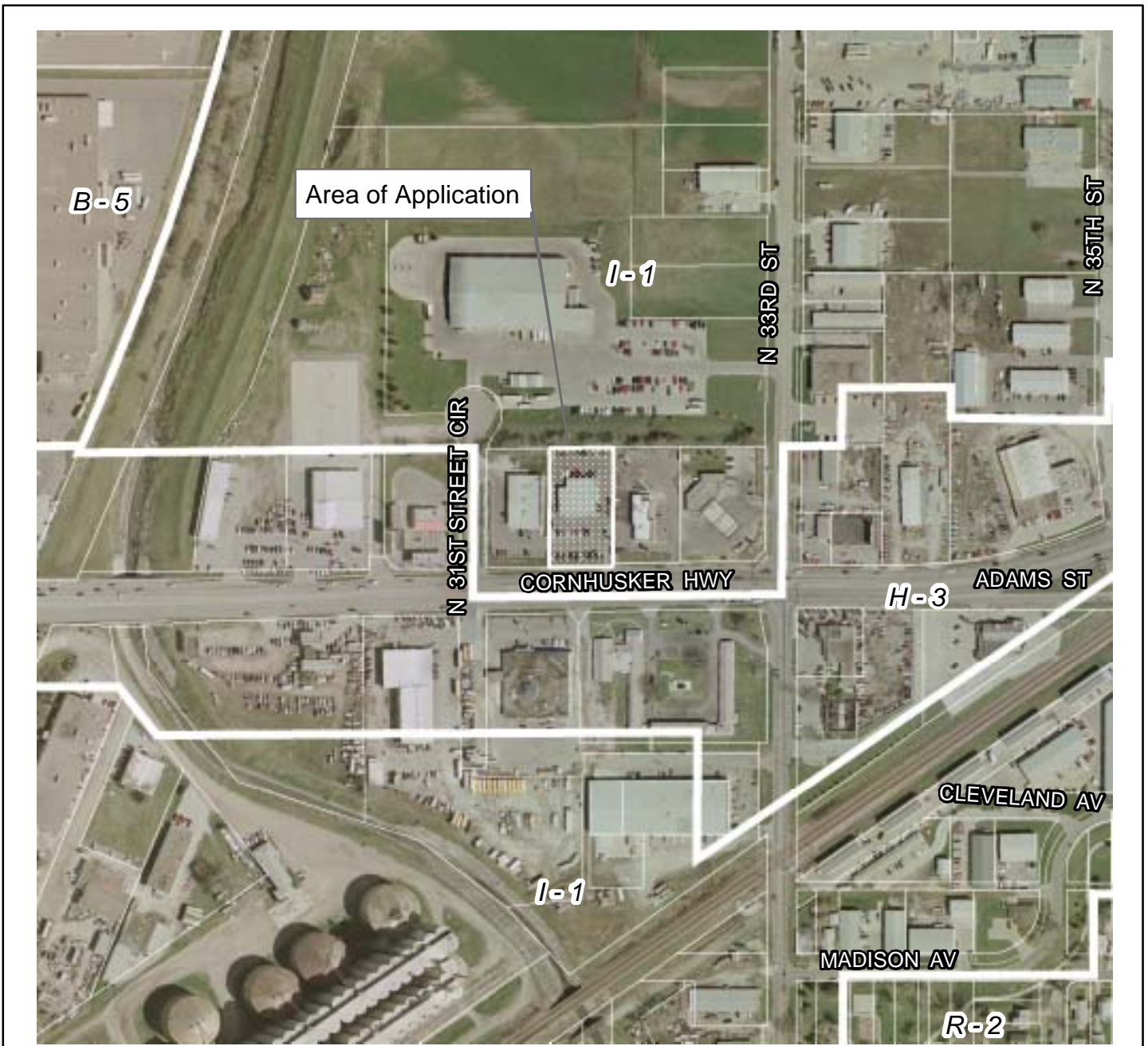
traffic moves on Cornhusker Highway.

3. Lincoln Municipal Code indicates for the I-1 district:  
(a) One on-premises pole sign or one on-premises ground sign per business per frontage is permitted. Such signs shall be spaced a minimum of fifty feet apart along any street frontage. In those instances where only a single business is conducted on the premises and the premises has a frontage along any one street of 150 feet or more, the business may have a maximum of two ground or pole signs as otherwise permitted in this section on any such frontage with a minimum spacing of 100 feet. If such sign is located in a required front yard, it shall not exceed fifty square feet of area, and a pole sign shall have a maximum height of twenty-five feet. If such sign is located outside the required front yard, it may have a maximum area of 100 square feet and a maximum height of fifty feet. If such sign is a combination of the two signs of over 150 feet frontage, it may be increased to 150 square feet in area and forty-five feet in height; provided it is fifty feet from other premises; a ground sign shall have a maximum height of eight feet.
4. Several properties along this portion of Cornhusker Highway have less than 150 feet of frontage. This property is not unique compared to neighboring properties. To grant one property a variance would likely open the door to requests from neighboring properties.
5. The lot is similar to other lots in the area. The lot is rectangular in shape, as are most of the other lots in the area.
6. The Board of Zoning Appeals is empowered to grant variances “to the extent necessary to permit the owner a reasonable use of the land in those specified instances where there are peculiar, exceptional and unusual circumstances in connection with a specific parcel of land, which circumstances are not generally found within the locality or neighborhood concerned.”
7. If this appeal were not granted, the owners could have one pole or ground sign as allowed by the sign code.

Prepared by

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Planner

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2002 aerial

## Board of Zoning Appeals #2381 3130 Cornhusker Hwy

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 7 T10N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction



Lincoln City - Lancaster County Planning Dept.